

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KRISTOPHER R. OLSON, CHRISTOPHER
LOPEZ, WARREN BARBER, CHRISTOPHER
CLIFFORD, and ERIK LIPTAK, individually
and on behalf of all others similarly situated,

Plaintiffs,

-v-

MAJOR LEAGUE BASEBALL; MLB
ADVANCED MEDIA, L.P.; HOUSTON
ASTROS, LLC; and BOSTON RED SOX
BASEBALL CLUB, L.P.,

Defendants.

Case No. 1:20-cv-00632-JSR

Case No. 1:20-cv-01000-JSR

**DECLARATION OF DAVID S.
GOLUB IN SUPPORT OF
PLAINTIFFS' MEMORANDUM IN
OPPOSITION TO DEFENDANTS
MAJOR LEAGUE BASEBALL
AND MLB ADVANCED MEDIA,
L.P.'S MOTION TO DISMISS**

I, DAVID S. GOLUB, declare, pursuant to 28 U.S.C. § 1746, as follows:

1. I am a member of the law firm Silver Golub & Teitell LLP, attorneys for Plaintiffs Kristopher R. Olson, Christopher Lopez, Warren Barber, Christopher Clifford, and Erik Liptak in this action. I submit this Declaration to identify two exhibits submitted in support of Plaintiffs' Memorandum in Opposition to Defendants Major League Baseball and MLB Advanced Media, L.P.'s Motion to Dismiss the Amended Class Action Complaint.

2. Attached hereto as Exhibit 1 is a true and correct copy of Major League Baseball Commissioner Robert D. Manfred, Jr.'s "Commissioner's statement regarding Red Sox-Yankees violations," dated September 15, 2017, available at the URL: <https://www.mlb.com/press-release/commissioner-s-statement-regarding-red-sox-yankees-violations-254435818>.

3. Attached hereto as Exhibit 2 is a true and correct copy of a printout of the following news article: Jason Mastrodonato, "MLB punishes Red Sox with only a fine for Apple

Watch Scandal”, BOSTON HERALD, dated September 15, 2017, available at the URL:

<https://www.bostonherald.com/2017/09/15/mlb-punishes-red-sox-with-only-a-fine-for-apple-watch-scandal/>.

* * *

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 6, 2020.

/s/ David S. Golub
DAVID S. GOLUB

CERTIFICATION

I hereby certify that on March 6, 2020, the foregoing was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's CM/ECF System.

/s/ David S. Golub
DAVID S. GOLUB